

**STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
OFFICE OF FINANCIAL AND INSURANCE SERVICES**

**Before the Commissioner of the Office of Financial and Insurance Services**

*In the Matter of:*

**Fresh Start Debt Relief Service**

**Enforcement Case No. 06-3955**

**James Michael Frantz  
a/k/a Mike Frantz**

**Respondents**

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*Issued and entered  
on July 31, 2006  
by Richard D. Lavolette  
Chief Deputy Commissioner*

**ORDER TO CEASE AND DESIST**

The Office of Financial and Insurance Services (OFIS) of the Michigan Department of Labor and Economic Growth, pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 *et seq.*; the Michigan Debt Management Act, 1975 PA 148, as amended; MCL 451.411 *et seq.* (Act), and the rules promulgated under the Act, says that:

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Respondent Fresh Start Debt Relief Service (hereafter "Fresh Start") is a company located 3316 Cliffs Drive, Petoskey, MI 49770.
2. Respondent James Michael Frantz, a/k/a Mike Frantz (hereafter "Frantz") is an agent of Fresh Start and is located at 3316 Cliffs Drive, Petoskey, MI 49770.
3. At no times material herein, were Respondents Fresh Start and Frantz licensed with the State of Michigan to conduct Debt Management services in the State of Michigan.
4. On or about May 18, 2005, the Office of Financial and Insurance Services, (OFIS) received an inquiry about Respondent Fresh Start from a Michigan resident.
5. On or about May 18, 2005, OFIS sent by certified mail, a letter requesting information regarding Fresh Start to Respondent Frantz. OFIS has not received a response from either Respondent.

WHEREAS, Section 2 of the Act, MCL 451.412(a) of the Act, states that the business of debt management means providing or offering to provide debt management to 1 or more residents of this state; and

WHEREAS, Section 2 of the Act, MCL 451.412(d) of the Act, states that debt management means the planning and management of the financial affairs of a debtor and the receipt of money from the debtor for distribution to a creditor in payment or partial payment of the debtor's obligations; and

WHEREAS, OFIS has information that Respondents Fresh Start and Frantz are engaged in debt management and/or the business of debt management within the State of Michigan; and

WHEREAS, Section 4 of the Act, MCL 451.414(1) of the Act, requires all persons located within or outside the boundaries of the State of Michigan to be licensed in order to conduct debt management business in the State of Michigan; and

WHEREAS, Respondent Fresh Start and Respondent Mike Frantz are not licensed with the State of Michigan under the Act; and

WHEREAS, Section 23 of the Act, MCL 451.433(3)(b), permits the Commissioner to require a statement in writing regarding the facts and circumstances surrounding the matter to be investigated and that the statement be filed with OFIS within 15 days; and

WHEREAS, OFIS requested information from Respondent Frantz and Respondent Fresh Start on or about May 18, 2005. OFIS has yet to receive a response from Respondents; and

WHEREAS, based on the foregoing, OFIS Staff recommends that the Commissioner find that Respondents Fresh Start and Frantz are engaged in acts and practices that violate Section 4, and 23 of the Act and Rules promulgated under the Act; and

WHEREAS, this action is necessary, appropriate, and in the public interest for the protection of the public and consistent with the purposes fairly intended by the policy and provisions of the Act.

**IT IS THEREFORE ORDERED**, pursuant to Section 23 of the Act, MCL 451.433 and Section 24 of the Act, MCL 451.434, that:

1. The Respondents Fresh Start and Frantz shall immediately **CEASE AND DESIST** from transacting the business of debt management in the State of Michigan without being licensed under the Act.
2. Failure to comply with this ORDER will subject you to one or more of the following:
  - (a) A licensee who violates a provision of this act is guilty of a felony and shall be fined not more than \$5,000.00, or imprisoned not more than 2 years, or both.
  - (b) A person who violates an injunction or a cease and desist order issued pursuant to this act shall be guilty of criminal contempt.
3. Any other communication regarding this Order should be addressed to the Office of Financial and Insurance Services, Attention: William R. Peattie, P.O. Box 30220, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF  
LABOR & ECONOMIC GROWTH



By: \_\_\_\_\_

Richard D. Lavolette  
Chief Deputy Commissioner  
Office of Financial and Insurance Services